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it is the statute, it is the precedence of prior cases and it is the Constitution and we, as judges, must take all of those legal precedents and the statute and the Constitution together and make a determination on these facts...

SENATOR WARNER: Time, Senator Ashford.

SENATOR ASHFORD: ...whether or not there has been substantial compliance. The Mommsen case is not applicable to the case of Byars v. Korslund.

SENATOR WARNER: Next is Senator Chambers, followed by Senator Nelson.

SENATOR CHAMBERS: Mr. Chairman and members of the Legislature, it falls to me to kind of wrap all this up into a neat package and tie the ribbon around it. Not a soul in this Legislature this morning had any doubt as to which way he or she was going to vote. We have spent an entire morning discussing it so that the record can be clear on the reasons we give as to why we vote the way we feel we've got to vote. This situation reminds me of something I read about when I was at Creighton and we were studying various philosophies. And a philosopher who has a very rigid doctrinaire position in opposition to everybody else's will start in this manner. I'm going to take this question with a completely open mind. I'm going to study it. I'm going to struggle with it. I'm going to analyze, evaluate, marshal the facts on both sides and come down on the side which I think is right regardless of what my original position was. And that philosopher always comes down exactly where he was before he started. So if we use Senator Ashford's analogy of our being a court, he and others who have dealt with this system know that judges reach a decision, then they write an opinion. The decision is whether they say, yeah or nay, and the opinion is the rationale that they give. And they try to write a rationale which after the fact seems to justify the decision they reach and they write it in such a way, if they can, to make it appear that they were very detached, objective and reviewing the evidence and that's what led them to the decision, but, in fact, the decision was reached first. So, in this instance, I'm not going to be surprised at the outcome. All of the talk of and references to cases, to the statutes, to the Constitution are like that expression in I Corinthians 13, "as sounding brass and tinkling symbols", just words spoken into the wind, they go no higher than the ceiling in this room. They go no farther than